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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 KUOMING CHU,

13 Defendant.

Case No. 2:96-cr-00309-KJD-BNW

**Motion to Dismiss the Indictment
Without Prejudice and Quash Arrest
Warrant**

14 On November 27, 1996, CHU was charged by a federal grand jury with Failure to
15 Surrender for Service of Sentence in violation of 18 U.S.C. § 3146(a)(2). ECF 1. An
16 unexecuted arrest warrant is outstanding. CHU has never been located by law
17 enforcement. Given the age of the case, the interest of justice calls for dismissing the
18 pending action.
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1 Pursuant to Federal Rule of Criminal Procedure 48(a), the government hereby
2 moves for leave of Court to dismiss the Indictment without prejudice and quash the arrest
3 warrant.

4 Respectfully submitted this 20 day of July, 2023.

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6 JASON FRIERSON
United States Attorney

7 /s/ Susan Cushman
8 SUSAN CUSHMAN
Assistant United States Attorney
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1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 KUOMING CHU,

7 Defendant.

Case No. 2:96-cr-00309-KJD-BNW

~~Proposed~~ **Order Granting
Motion to Dismiss the Indictment
Without Prejudice and Quash the Arrest
Warrant**

8
9 Pursuant to Federal Rule of Criminal Procedure 48(a), and upon leave of Court, the
10 United States hereby dismisses without prejudice the Indictment against Defendant
11 KUOMING CHU and quashes the arrest warrant.

12 JASON FRIERSON
13 United States Attorney

14 /s/ Susan Cushman
15 SUSAN CUSHMAN
16 Assistant United States Attorney

17 Leave of Court is granted for the filing of the above dismissal.

18 DATED this 21st day of July, 2023.

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20 HONORABLE KENT J. DAWSON
21 UNITED STATES DISTRICT JUDGE
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